IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

SECURITIES AND EXCHANGE COMMISSION,	8	
Plaintiff,	§ §	
,	8	
v.	§	Case No.: 4:14-CV-02345
	Š	
ANDREW I. FARMER,	§	
CHARLES E. GROB, JR.,	§	
CAROLYN AUSTIN,	§	
BALDEMAR P. RIOS, and	§	
CHIMERA ENERGY CORP.	§	
	§	
Defendants.	§	
	§	

DECLARATION OF NIKOLAY V. VYDASHENKO IN SUPPORT OF PLAINTIFF SECURITIES AND EXCHANGE COMMISSION'S OPPOSITION TO MOTION TO VACATE

- 1. I am an attorney in the Division of Enforcement of the Securities and Exchange Commission (the "Commission").
- 2. I submit this declaration in support of the Commission's Opposition to Defendant Andrew I. Farmer's Motion to Vacate the Court's October 7, 2015 Order granting the Commission summary judgment. This declaration is based on my personal knowledge and the statements in this declaration are made to the best of my knowledge.

The Commission's Document Production

3. The Commission made document productions to Farmer's counsel on March 9, 2015, June 3, 2015, and July 7, 2015. As part of these productions, the Commission produced to Farmer's counsel documents it received from other parties in the course of its investigation (the "Third Party Documents"). The Commission produced the Third Party Documents to Farmer's

counsel in the same format in which the Commission received them from the third parties. Thus,

those Third Party Documents that contained metadata were produced to Farmer's counsel with

that metadata.

4. The Commission produced to Farmer's counsel every document, together with its

metadata, that the Commission identified in its summary judgment motion as containing

particular metadata. For example, in its Statement of Undisputed Facts [Dkt. No. 54], the

Commission identified metadata associated with a January 13, 2012 letter and a chart, both of

which Farmer emailed to Pennaluna. (Stmt. ¶ 49; Appx. 000634-637.) The Commission

produced to Farmer each of these documents together with their metadata during discovery.

Farmer's Counsel's Inquiry about Metadata

5. Attached hereto as Exhibit A is a true and correct copy of email correspondence

between Kevin Edmundson, counsel for Farmer, and Matthew J. Gulde, counsel for the

Commission, relating to Farmer's counsel's inquiry about metadata made on June 6, 2016.

Farmer's Interrogatories and the Commission's Responses

6. Attached hereto as Exhibit B is a true and correct copy of the Commission's

Responses to Farmer's First Set of Interrogatories. Each response is preceded by the text of the

interrogatory to which the response is being furnished.

7. I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 23rd day of June, 2016.

NikolavV. Vydashenko